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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,085	06/28/2001	Cornelis Antonie Maria Jaspers	NL 000367	5318

24737 7590 05/18/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

VIEAUX, GARY

ART UNIT PAPER NUMBER

2612

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/894,085	JASPERS, CORNELIS ANTONIE MARIA	
	Examiner	Art Unit	
	Gary C. Vieaux	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1, 2 and 7-10 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/28/01, 1/31/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the

5 description: Line 24 of page 6 of the specification makes reference to "signal processing device 13", which is not found to be designated in the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if
10 only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

15 As an alternative to the submission of corrected drawing sheets, the applicant will be allowed to delete the reference character from the description instead of adding them to the drawing(s).

Specification

20 The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 8, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1, 2, 7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Jaspers et al. (WO 99/04555.)

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Regarding claim 1, Jaspers teaches a signal processing device comprising a reconstruction unit for generating a plurality of color signal values for each pixel from the

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sensor output signal (fig. 9B indicator PROC') and a clipping device for clipping the sensor output signal or the plurality of color signal values (fig. 9B indicator WBC.)

Regarding claim 2, Jaspers discloses all the limitations of claim 2 (see the 102(b) rejection to claim 1 supra), including the device further comprising a conversion unit for
5 generating luminance signals and chrominance signals from the plurality of color signal values (fig. 9B indicator MX), and an adjustment unit for selectively setting the chrominance signals to a zero color difference when clipping is performed (fig. 9B indicator FCK, as directed when $FC_{fade} = 1$.)

Regarding claim 7, Jaspers discloses all the limitations of claim 7 (see the 102(b) rejection to claim 1 supra), including a signal processing device wherein the clipping
10 device is arranged in the analog path from the sensor to a subsequent analog-to-digital converter (fig. 6A, p. 7 lines 29-30.)

Regarding claim 9, although the wording is different, the material is considered substantively equivalent to claim 1, as discussed above.

Regarding claim 10, Jaspers teaches a camera comprising a sensor (p. 13 line
15 19), and the sensor output signal processing device of claim 1, which comprises a signal processing device comprising a reconstruction unit for generating a plurality of color signal values for each pixel from the sensor output signal (fig. 9B indicator PROC') and a clipping device for clipping the sensor output signal or the plurality of color signal
20 values (fig. 9B indicator WBC.)

Claims 1, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Hieda (US 5,659,358.)

Regarding claim 1, Heida teaches a signal processing device comprising a reconstruction unit (fig. 1 indicator 7) for generating a plurality of color signal values for each pixel from the sensor output signal and a clipping device (fig. 1 indicators 14; col. 2 lines 53-55) for clipping the plurality of color signal values.

Regarding claim 9, although the wording is different, the material is considered substantively equivalent to claim 1, as discussed above.

Regarding claim 10, Heida teaches a camera comprising a sensor (fig. 1 indicator 2) and the sensor output signal processing device of claim 1, which comprises a reconstruction unit (fig. 1 indicator 7) for generating a plurality of color signal values for each pixel from the sensor output signal and a clipping device (fig. 1 indicators 14; col. 2 lines 53-55) for clipping the plurality of color signal values.

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Allowable Subject Matter

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Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3 and 4, the prior art is not found to teach or fairly suggest, in combination with the claims from which dependence is derived, a signal processing device wherein the signal processing device further comprises a single bit white clip delay unit for generating a switch signal for the adjustment unit, the switch signal

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comprising an at least 2x2 bit array from, or at least in response to, a signal from the clipping device indicating that clipping has occurred.

Regarding claims 5 and 6, the prior art is not found to teach or fairly suggest, in combination with the claims from which dependence is derived, an additional clipping device to limit the dynamic range of the amplitude of the sensor output signal, where a clipping level of the clipping device is lower than a clipping level of the additional clipping device in the preprocessor.

Conclusion

10 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jaspers et al. (US 6,697,110) discloses a method of color interpretation employing similar functionality.

Ukita (US 6,650,363) discloses white balance correction employing
15 reconstruction in relation to chrominance/luminance signals.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-
20 7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the

- 5 Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic
- 10 Business Center (EBC) at 866-217-9197 (toll-free).

Gary C. Vieaux
Examiner
Art Unit 2612

Gcv2

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